

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) BRIAN THOMPSON, individually;	)	
(2) JENNIFER JAMES, individually,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. <u>CIV-23-1074-R</u>
	)	
(1) J. GRAY TEEKELL, individually,	)	(Removed from the District Court
(2) THE TEEKELL COMPANY, INC.; and	)	of Oklahoma, Case No. CJ-
(3) MICHAEL E. KRASNOW, Trustee of	)	2023-5988)
Morton Family Irrevocable Trust,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant, Michael E. Krasnow Trustee of the Morton Family Irrevocable Trust ("Trustee"), hereby removes the above-captioned case from the District Court of Oklahoma County, State of Oklahoma, to the United States District Court for the Western District of Oklahoma. In support thereof, Trustee alleges and states as follows:

1. On October 18, 2023, Plaintiffs, Brian Thompson and Jennifer James (collectively, "Plaintiffs"), commenced this action against Defendants, J. Gray Teekell, The Teekell Company, Inc., and Trustee (collectively, "Defendants"), by filing a Petition in the District Court of Oklahoma County, State of Oklahoma, Case No. CJ-2023-5988 (the "State Court Action").<sup>1</sup>

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<sup>1</sup> Due to a typographical error, the original style of Plaintiffs' Petition filed in the State Court Action improperly identified Plaintiff as Jennifer *Hames* and one of the Defendants as *Gary* Teekell when the proper name of the Plaintiff is Jennifer James, and the proper

2. The Petition alleges claims against all Defendants for: (a) negligence; (b) breach of contract; (c) "fraud/gross negligence"; and (d) unjust enrichment. Based on these claims, Plaintiff seeks over \$1,000,000 in damages and "at least" \$1,000,000 in punitive damages. The Petition also requests an accounting of the Morton Family Irrevocable Trust for the previous ten years and the removal of Trustee.

3. The Petition and Summons were served on Trustee on October 23, 2023.<sup>2</sup>

#### **I. SUBJECT MATTER JURISDICTION**

4. Removal of this case is proper under 28 U.S.C. § 1441 because this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(a). As set forth below, there exists complete diversity of citizenship between Plaintiffs and Defendants, and the amount in controversy is alleged to exceed \$75,000, exclusive of interest and costs.

5. As of the date the Petition was filed and continuing until the date of this Notice of Removal: (a) Trustee was domiciled in Florida and is a citizen of the State of Florida for purposes of diversity jurisdiction; (b) J. Gray Teekell was domiciled in Louisiana and is a citizen of the State of Louisiana for purposes of diversity jurisdiction; and (c) The Teekell Company, Inc. is a Louisiana corporation with a principal place of

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name of the Defendant is J. Gray Teekell. Trustee's counsel contacted and informed Plaintiffs' counsel of these mistakes, and Plaintiffs filed an Amended Petition correcting them on November 16, 2023.

<sup>2</sup> Trustee notes that he filed a Motion to Dismiss on November 13, 2023, which is currently pending in the State Court Action. Pursuant to LCvR 81.2(b), Trustee will file within 30 days of this Notice of Removal a notice of pending motion along with the Motion to Dismiss and related papers filed in the State Court Action. *See* LCvR 81.2(b).

business in Shreveport, Louisiana and is a citizen of the State of Louisiana for purposes of diversity jurisdiction.

6. Based on the foregoing, complete diversity of citizenship between Plaintiffs and Defendants exists.

7. Plaintiffs allege that they have been damaged in excess of \$1,000,000 and seek at least \$1,000,000 in punitive damages. Thus, the alleged amount in controversy exceeds \$75,000, exclusive of interest and costs.

## **II. ADDITIONAL PROCEDURAL REQUIREMENTS**

8. This Notice of Removal is timely filed within 30 days after Trustee's receipt of Plaintiffs' Petition and Summons. *See* 28 U.S.C. § 1446(b).

9. Because this Court is within the district embracing the county in which the State Court Action is pending, venue is proper.

10. Attached to this Notice of Removal are true and correct copies of the State Court Action's Docket Sheet (*Exhibit 1*), the Petition (*Exhibit 2*), the Amended Petition (*Exhibit 3*), the Return of Service on Trustee filed October 24, 2023 (*Exhibit 4*) and the Return of Service on The Teekell Company, Inc. filed on October 30, 2023 (*Exhibit 5*). *See* 28 U.S.C. § 1446; *see also* LCvR 81.2.

11. Counsel for Defendants J. Gray Teekell and The Teekell Company, Inc. have indicated to counsel for Trustee that they consent to the removal of this proceeding pursuant to 28 U.S.C. § 1446(b)(2)(A).

12. After filing this Notice of Removal, Trustee will promptly give written notice thereof to all parties and promptly file a copy of this Notice of Removal with the Clerk of the District Court of Oklahoma County. *See* 28 U.S.C. § 1446(d).

WHEREFORE, Trustee removes this action from the District Court of Oklahoma County, State of Oklahoma, to the United States District Court for the Western District of Oklahoma, pursuant to 28 U.S.C. § 1441.

Respectfully submitted,

/s/ Taylor Kaye Weder

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*Attorneys for Defendant,*

*Michael E. Krasnow as Trustee of the Morton*

*Family Irrevocable Trust*

### CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2023, I electronically transmitted the foregoing document to the Clerk of the Court for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electric Filing to the following ECF Registrants:

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/s/ Taylor Kaye Weder  
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